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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/501,379

03/22/2005

Glen William Wallis

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6123 7590 03/29/2007
JAMES EARL LOWE, JR.
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EXAMINER

GALL, LLOYD A

ART UNIT

PAPER NUMBER

3676

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/29/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/501,379

Applicant(s)

WALLIS ET AL.

Examiner

Lloyd A. Gall

Art Unit

3676

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22, 24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 18-22, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 12-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/22/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

In response to applicant's election of January 17, 2007, in view of further consideration, the previous restriction requirement is withdrawn, and all claims are examined on their merits, as follows.

The disclosure is objected to because of the following informalities: On page 6, line 19, --and-- should follow "handles".

Appropriate correction is required.

The drawings are objected to because reference numeral "53" appears to be inaccurate in fig. 13 (see page 3, line 7 of the substitute page of the specification filed on January 17, 2007). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter limitations of claims 18 and 19 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

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of the following is required: The written description should provide support for what is referred to in the last two lines of claim 9.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claims 3-5, 7-11, 14-19, 22 and 24 are objected to because of the following informalities: In claim 3, line 2, "e.g." is not clear. In claim 4, line 3, "associated with" is not clear if the dead bolt is being positively claimed, or not. In claim 5, line 2, it is not clear what is meant by "tacking". In claim 7, line 3, "for example" is not clear. In claim

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8, line 2, there is no antecedent basis for "the second operating member", and consistency should be maintained between "second rotatable member" and "second operating member" throughout the claims. In claim 8, line 4, there is no antecedent basis for "the motor". In claim 9, line 2, --a-- should apparently follow "incorporating". In claim 9, line 2, "second clutch" is not clear, since a first clutch has not been previously set forth in claim 4. In claim 9, line 2, there is no antecedent basis for "the motor". In claim 10, lines 2 and 4, consistency should be maintained between "control link" and "control member". In claim 14, line 3, there is no antecedent basis for "the projection end recess" (which is also grammatically incorrect). This is apparently referring to claim 11, from which claim 14 does not depend. In claim 15, there is no antecedent basis for "the fob", "the projection", or for "the recess". See also claim 16, line 2. In claim 16, line 3, "condition" should read --position--. In claim 17, line 2, "for example" is not clear as to what is being positively claimed. See also claim 18, line 2 and claim 19, line 4. In claim 22, line 2, there is no antecedent basis for "the second rotatable mechanism". In claim 24, line 1, "such as" is not clear. In claim 24, lines 1 and 2 are not understood, since a movable panel is first claimed in line 1, followed by "for use with" a door or window in line 2. Appropriate correction is required.

In view of the above claim objections, the respective claims are rejected as best understood, on prior art, as follows.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 10, 11, 18, 20, 24 and 25 as best understood are rejected under 35 U.S.C. 102(b) as being anticipated by Brask (179).

Brask teaches a locking mechanism including a door 12, handle 20, electrical operating device (motor), a fob (fig. 2), a first rotatable member 40, a second rotatable member 36, a control member 44 preventing operation of the handle, a dead bolt 26, a worm 36 associated with a gear train 36, 30, the control link 44 locked against movement by a cam 26 to lock the handle, a projection on the link 44 engaging a recess of the member 40. With respect to claim 18, Brask also teaches an internal safety device 58 as set forth in column 5, lines 36-39. With respect to claim 20, the knob 20 may be difficult to operate, particularly when locked by the control link 44.

Claims 1-9, 20-22, 24 and 25 as best understood are rejected under 35 U.S.C. 102(b) as being anticipated by Solari et al (039).

Solari teaches a locking mechanism on a door, a handle 16 or 15, an electrical operating device 3, a fob 34 in fig. 6, a worm 6, a first rotatable member 15, a second rotatable member 5 rotatable by the motor and being associated with a dead bolt 9, a control member 17 between the first and second members 15 and 16 as seen in fig. 4, the second rotatable member 5 allowing a control member 17 to be prevented from operable engagement with the handle 16 as seen in fig. 4, a gear train 4, 5 and a worm 6. With respect to claims 8 and 9, Solari also teaches first and second clutch elements between elements 18 and 14 in fig. 4 which are held disengaged by the spring

therebetween. With respect to claims 20-22, the knob 15 must be pressed inward and turned to actuate element 17 and cause gears 18, 14 to be coupled.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Solari et al in view of Hicks et al (316).

Solari teaches both an alarm in column 2, line 66 and a panic button in fig. 6 on the fob 34. Hicks teaches a smoke detector 96 associated with an alarm 91 as set forth in column 3, lines 53 and 67. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a smoke detector with the alarm of Solari et al, in view of the teaching of Hicks et al, the motivation being to optimize the security and safety of the locking mechanism of Solari et al.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Solari et al in view of the German reference (176).

As seen in fig. 2, the German reference teaches that it is well known to link multiple locking mechanisms together. It would have been obvious to link the locking mechanism of Solari with at least one other locking mechanism, in view of the teaching of the German reference, the motivation being to provide a secure building, for example.

Claims 12-17 (provided the above claim objections are overcome) are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in

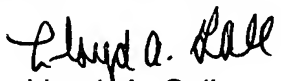
independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Lloyd A. Gall
Primary Examiner
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March 23, 2007